

Robert Kennedy Unable to Budge Alabama Governor on Race Issue

By CLAUDE BITTON
Special to The New York Times

MONTGOMERY, Ala., April 26 — A school desegregation mented to other Federal officials some five hours after his arrival late yesterday. "There's no communication. What do you do?"

The Attorney General left here at noon by plane for visits to Columbia, S. C., and Atlanta. He was accompanied by Burke Marshall, chief of the Justice Department's Civil Rights Division, and other officials from Washington.

Fifty state troopers armed with nightsticks, other state policemen in plain clothes, two dozen Federal Bureau of Investigation agents and a detachment of city policemen

met Mr. Kennedy at the airport. He reiterated his hope that the issue would be resolved peacefully by state and local officials without Federal intervention. However, his remarks and appearance indicated that he had been shaken by the wall of opposition he had encountered.

"It's like a foreign country,"

Mr. Kennedy reiterated his hope that the issue would be resolved peacefully by state and local officials without Federal intervention. However, his remarks and appearance indicated that he had been shaken by the wall of opposition he had encountered.

Continued on Page 17, Column 5

NEW YORK TIMES MONTGOMERY, ALA., APRIL 26 — A school desegregation mented to other Federal officials some five hours after his arrival late yesterday. "There's no communication. What do you do?"

Robert Kennedy Unable to Budge Alabama Governor on Race Issue

Continued From Page 1, Col. 4

maintained a guard in and around the Alabama Capitol this morning. Eighteen white pickets were arrested by the Montgomery police in front of the Capitol shortly before Mr. Kennedy arrived. Their placards included two that said: "Mississippi Murderer" and "No Kennedy Congo Here." The former apparently was an allusion to the Attorney General's use of troops to quell rioting at the University of Mississippi.

Rear Admiral John G. Crommelin, retired, stood on a nearby sidewalk but did not participate in the demonstration. "It's a felony to violate the rights of people," declared the former Navy officer, an avowed anti-Semite who is active in segregationist circles here.

Another symbol of opposition rested on the flagpole flanking the entrance of the Capitol, which also served as the first Capitol of the Confederacy. It was a wreath of green leaves and white carnations and a few white ribbons.

Two women had placed it over the brass sculptured Statue of David that marks the spot where Jefferson Davis took the oath as President of the Confederacy.

"Sacred Ground" Defended
"It was put there to keep the enemy off sacred ground," Mr. H. R. Barker of Montgomery explained. "Tomorrow is Confederate Memorial Day." Mrs. J. E. Dugan, the woman who said, "I just jumped the gun one day."

Before the end of the conference they had added a sign that said: "This was the spot where any enemy from standing on the star where Jefferson Davis was inaugurated."

It was signed, "Unsubscribed."

The conference between the Attorney General and the Governor was arranged at Mr. Kennedy's request by Ed E. Rouse, executive director of the Alabama League of Municipalities. He, Mr. Maynard and Governor Trammell, the State Finance Director, sat in on the talk.

Mr. Kennedy emerged first from the Governor's office. He replied to questions indicating that much of the conversation with the Governor had been with problems that might arise from efforts of three Negroes to enroll at the University of Alabama and from school desegregation suits in Birmingham and other cities.

"We had a courteous visit with the Governor," he said. "I

wouldn't want the statement to go out that the Governor of Alabama had changed his views."

Asked if he had found a possibility of compromise, the Attorney General answered: "I am hopeful that this matter will be resolved peacefully in accord with law."

In a news conference following the Attorney General's departure, the Governor also said that the meeting had been "courteous and frank." In reply to one question after another, Mr. Wallace repeated, with few changes, the statement:

"My position after the conference was the same as it was in the campaign for Governor last year, and I might say that his position was the same."

He was asked if the meeting had accomplished anything. "I have no idea whether it did or not," he replied.

"Mr. Kennedy said a few anti-Semitic things," as you said last year."

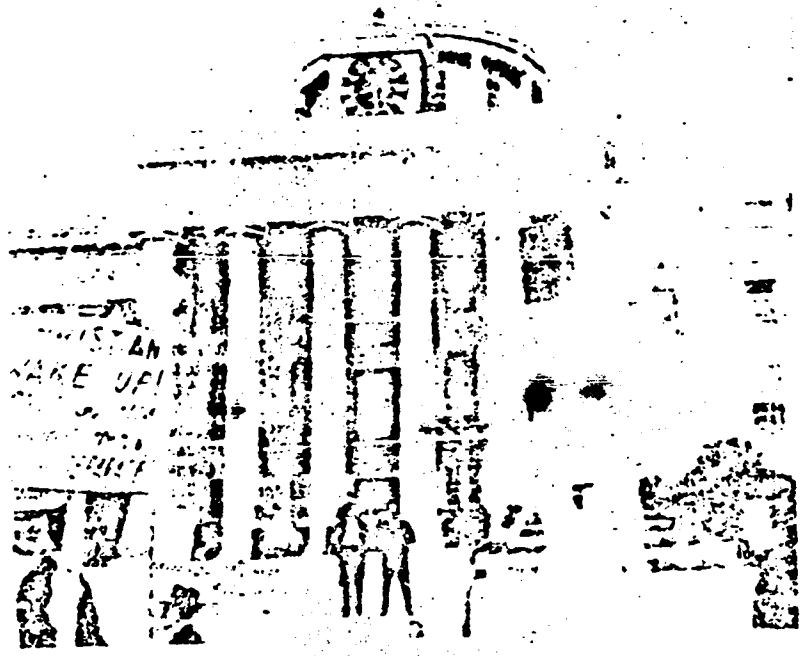
"I see my position is still the same," the Governor said.

NEW YORK TIMES

ALABAMA HOLDS 2 IN HIKER'S SLAYING

Par. Guest lined in Slaying
of Rights Co. Member

By ROBERT HAYES
New York Times Staff Writer



PICKETS MARCH AT ALABAMA CAPITOL. Demonstrators picketed the Alabama State Capitol in Birmingham today to protest Attorney General George C. Wallace's refusal to release two Negroes arrested in connection with the slaying of a white hiker.

WASHINGTON DAILY NEWS

**Alabama Warns
'Freedom Marchers'**

MONTGOMERY, Ala., April 26 (UPI)—Gov. George C. Wallace warned an integrationist group that "freedom walks" in Alabama will not be tolerated and the marchers will probably be arrested.

The governor's warning was prompted by a telegram yesterday from the Student Non-Violent Coordinating Committee in Atlanta which said the group planned to continue the freedom walk started by William L. Moore.

The SNCC telegram to Gov. Wallace informed him a march was planned and asked: "Will the state of Alabama provide protection for our walkers?"

Gov. Wallace replied in a telegram: "Your proposal and action calculated to cause unrest, disorder and a breach of the peace in the state of Alabama will not be condoned or tolerated. Laws of the state of Alabama will be strictly enforced."

ala

APR 26 1963

Talk to Nip Alabama U. Clash Fails

**Atty. Gen. Is Firm;
Wallace Unmoved
On Segregation**

By James E. Clayton
Staff Reporter

MONTGOMERY, Ala.
April 25 — Attorney General Robert F. Kennedy met with Gov. George C. Wallace here today in an effort to avert another clash of Federal-state power over the desegregation of a state university.

The two men talked quietly for more than an hour and came out saying that neither had changed his position. That means a clash could come at the Huntsville branch of the University of Alabama in June.

Kennedy told the Governor that he intends to enforce the law and Federal court orders, making it clear that this applies to orders directing the

Dozens Wait Outside

The meeting between the two took place behind closed doors in Wallace's office in the State Capitol while dozens of newsmen, State legislators, and interested citizens waited outside.

Both men, although small in physical stature, speak in direct and firm language. In comments after the meeting, each made clear their conflicting positions in unequivocal terms.

Wallace, who supported President Kennedy for election, now opposes both Kennedy brothers. He has called the Attorney General a "pugnacious sapling" and said after the meeting that his position on that phrase was still the same as it was before.

A few minutes before the Attorney General arrived, 17 pickets carrying anti-Kennedy signs were arrested on the steps of the Capitol for parading without a permit. A brief but sharp struggle broke out between two men and city police.

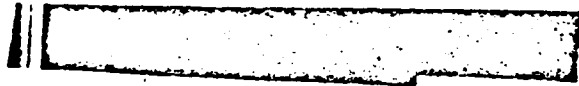
On his way into the building, the Attorney General had to step around a wreath of flowers placed by two women on the spot where Jefferson Davis stood when he took the oath as President of the Con-

See TRIP, A16, Col. 1

Picture on Page A16

admission of Negroes to the University. He said he hoped the University could be desegregated without violence or a clash of wills.

Wallace told Kennedy that he stands by the position on which he campaigned for election. That position is his pledge to stand in the door of the University and physically bar the entrance of any Negro. He, too, said he hoped there would be no violence





Attorney General Kennedy and Alabama Gov. George Wallace during a news conference in Montgomery, Ala., after the parley. Kennedy is seated on the left, Wallace on the right. A group of people are standing behind them.

Attorney General Kennedy, center, and a member of his party, Ed Butler, right, are marking the spot where Kennedy and Governor Wallace met in the parley.

TRIP—From Page A1

Parley Fails to Find Agreement On Averting Clash at Alabama U.



'I Hear It Ain't Safe to Walk the Streets in Washington'

WASHINGTON NEWS

2 Held in Slaying of Civil Rights Hiker

GADSDEN, Ala. April 25
(UPI)—Police questioned two men today in connection with the roadside slaying of Baltimore civil rights crusader William L. Moore.

Authorities did not disclose the names of the men. But in nearby Collbran two women told newsmen their husbands, Lloyd L. Simpson, 40, and Gaddis Killian, 44, had been taken into custody.

Killian, like Moore, is a mail carrier. Simpson runs a grocery-service station.

The Simpsons and Killians are neighbors, and both live on U. S. Rte. 11—the highway Moore was traveling enroute to Jackson, Miss., to present Gov. Ross Barnett with a letter protesting segregation.

The wives said their husbands had talked with Moore when he passed through Collbran Tuesday afternoon. Later, the women said, the men got in Killian's car and drove to Collinsville—a small town further down U. S. 11 and talked to Moore again.

But the women said their husbands were back home by 4 p. m. and that they didn't leave the house again.

Moore's body was found near a roadside park later that night with two bullet holes in it. Authorities said death apparently occurred between 8 and 9 p. m.

U.S. Is Seeking Way Out for Gov. Wallace

APR 25 1963

By James E. Clayton
Staff Reporter

MONTGOMERY, Ala., April 24—Attorney General Robert F. Kennedy flew into an enthusiastic Deep South today and immediately began trying to give Gov. George C. Wallace a graceful way out of a threatened show-down over desegregation of the University of Alabama next summer.

Kennedy will see the Governor Thursday morning in what he said is a "courtesy call." The Attorney General held a meeting here tonight with Federal law enforcement officers from three states. He flies to Columbia, S. C., Thursday for a similar meeting and two speeches at the University of South Carolina.

Gov. Wallace has said time after time that he will stand in the doorway and personally block the efforts of any Negro to enter a white school. The University is already under a court order to register students without discrimination and two Negroes have applied for admission to an extension branch at Huntsville.

In a news conference and a television interview, Kennedy repeatedly insisted that he intends to enforce the orders of the courts. The tone of his

office or you don't. I intend to live up to it."

Asked if he was here to get Wallace "off the hook," Kennedy responded, "I think that's up to him. My responsibility and that of the Department of Justice is to enforce the law. . . . I can't compromise that away. I think that if Gov. Wallace was the Attorney General of the United States he would do exactly what I am doing or he wouldn't be Attorney General."

One newsman asked what would happen if Wallace actually stands in the door. Kennedy said, "those matters are up to Gov. Wallace. I would hope those matters would be solved peacefully."

The reception that the Attorney General received was noticeably cool. There were small but quiet gatherings at the airport and the television

station. Two men carried anti-Negro and anti-Semitic signs in front of the station. A few spectators booed his remarks as the station carried them over a public address system.

Snubbed by Patrolman One state highway patrolman, who was helping to keep the crowd back at the station, pointedly refused to shake Kennedy's hand as he left.

In his news conference, Kennedy said he had not encouraged recent demonstrations in Birmingham and indicated that he thought the Negroes there, including Dr. Martin Luther King, should obey a State court order telling them to end the demonstrations. The Attorney General drew a parallel between the action of Dr. King and that of Gov. Ross Barnett of Mississippi last fall and condemned both.

One series of questions put to Kennedy and his answers:

Q—Do you plan to send troops to Alabama?

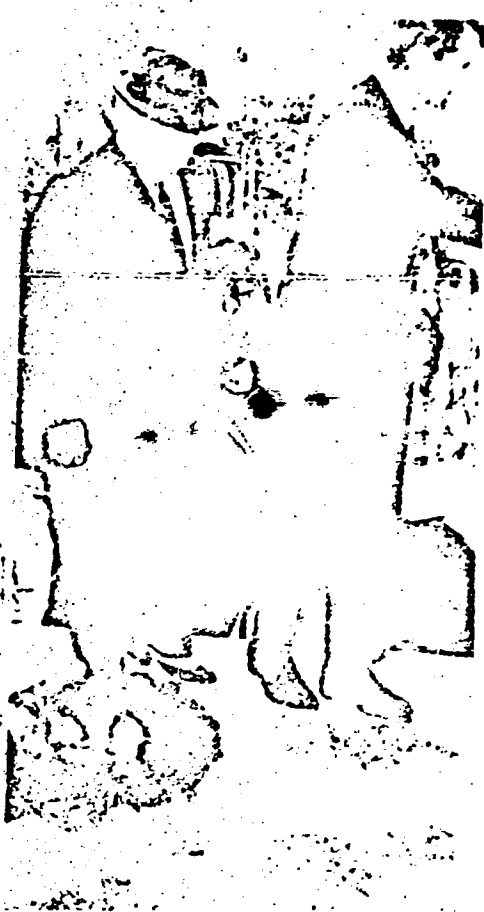
A—I have no plan to do that.

Q—Are you a member of the NAACP?

A—No, I am not. I have never been.

Q—Are you a member of the Communist Party?

A—I have never been a member of the Communist Party. (Long pause.) and I am not now. (Laughter.) I'm glad we have a chance to clarify that. (More laughter.)



Protesters gathered in Montgomery yesterday which preceded the meeting of Attorney General Kennedy and Alabama Governor Wallace. Wallace is shown as he was put in a police vehicle. In the background, protesters were taken into custody.

Attorney General Kennedy stands with his brother-in-law, Governor Wallace, as they are escorted by police. Kennedy is on the left, Wallace on the right. The police are in the foreground.

4/25/63

Talk to Nip Alabama U. Clash Fails

Atty. Gen. Is Firm;
Wallace Unmoved
On Segregation

By James E. Clayton
Staff Reporter

MONTGOMERY, Ala. — April 25 — Attorney General Robert F. Kennedy met with Gov. George C. Wallace here today in an effort to avert another clash of Federal-state power over the desegregation of a state university.

The two men talked quietly for more than an hour and came out saying that neither had changed his position. That means a clash could come at the Huntsville branch of the University of Alabama in June.

Kennedy told the Governor that he intends to enforce the law and Federal court orders, making it clear that this applies to orders directing the

Dozens Wait Outside

The meeting between the two took place behind closed doors in Wallace's office in the State Capitol while dozens of newsmen, State legislators, and interested citizens waited outside.

Both men, although small in physical stature, speak in direct and firm language. In comments after the meeting, each made clear their conflicting positions in unequivocal terms.

Wallace, who supported President Kennedy for election, now opposes both Kennedy brothers. He has called the Attorney General a "pugnacious puppy" and said after the meeting that his position on that phrase was still the same as it was before.

A few minutes before the Attorney General arrived, 17 pickets carrying anti-Kennedy signs were arrested on the steps of the Capitol for parading without a permit. A brief but sharp struggle broke out between two men and city police.

On his way into the building, the Attorney General had to step around a wreath of flowers placed by two women on the spot where Jefferson Davis stood when he took the oath as President of the Con-

See TRIP, A16, Col. 1

Picture on Page A16.

admission of Negroes to the University. He said he hoped the University could be desegregated without violence or a clash of wills.

Wallace told Kennedy that he stands by the position on which he campaigned for election. That position is his pledge to stand in the door of the University and physically bar the entrance of any Negro. He, too, said he hoped there would be no violence.

TRIP—From Page A1

Parley Fails to Find Agreement On Averting Clash at Alabama U.

federacy. The women said they put the wreath there to keep "the enemy" off sacred ground.

Reception Friendly

In general, however, Kennedy was received in a friendly manner by the small crowd that had gathered at the Capitol. Several persons stepped forward to shake his hand or seek his autograph. However, Wallace had made it clear that he did not want to be seen in public with Kennedy and made a point of staying inside his office until Kennedy left the building.

Wallace said the meeting was "courteous and frank," befitting the city that he called the "Capital of Courtesy." He said, "My position after the discussion was the same as it was during the Governor's race — his position is the same, too." When he was asked whether the discussion was useful, Wallace said that people in Alabama are courteous.

Kennedy described the tone of the conference in identical words. When he was asked whether he saw any room for compromise, the Attorney General said, "I am hopeful this matter will be resolved peacefully and according to law. I am hopeful that no outside forces of any kind will interfere."

The issue, he said, transcended the question of seg-

regation and involved the integrity of the law and the Federal courts.

Only three persons other than Wallace and Kennedy sat in on the conference. They were Assistant Attorney General Burke Marshall, Alabama Finance Director Seymour Trammell and Ed Beld, a prominent figure in Democratic Party affairs. At Wallace's suggestion, a recording of the discussion was made and a transcript may be released later.

Kennedy Calls on Editor

After seeing Wallace, Kennedy spent a few minutes with

Grover Hall, editor of the Montgomery Advertiser, apparently in an effort to persuade that newspaper to give greater support to the maintenance of law and order when desegregation comes.

Kennedy then flew to Columbia, S. C., for a meeting of Federal law-enforcement officials and to address students at the University of South Carolina Law School and a meeting of the American Association of University Professors. He paid a 35-minute call on Gov. Donald S. Russell, in whose State Clemson College was peaceably desegregated earlier this year.

APR 2, 1968

King Loses Bid to Shift His Case to U. S. Court

BIRMINGHAM, Ala., April 23 (UPI)—A Federal judge today rejected a request by Dr. Martin Luther King Jr. and other leaders of a desegregation campaign for a temporary restraining order and asked Allgood to set a hearing on a motion for permanent injunction. It was contained in a suit filed yesterday in federal court.

Federal Judge Clarence W. Allgood rejected a request that he take jurisdiction of charges against Dr. King and 285 other persons for taking part in anti-segregation demonstrations. Allgood said his schedule would not allow him to hear the request for a permanent injunction until September.

Allgood also refused a motion to bar city officials from

Dr. King and more than 400 other Negroes participating in segregation protest marches have been arrested in recent weeks on charges of parading without a permit.

He faced a separate set of legal problems in Circuit Court, where he and 13 others were charged with defying a court order banning racial protests in Birmingham.

Judge William Jenkins, who issued the order April 10, is hearing the trial.

The city concluded its case today and the defense then moved that five of the Negroes be dropped from the contempt citation because there was no direct evidence showing they were involved. Jenkins granted the motion.

Judge Rules in Favor Of Boutwell's Slate

BIRMINGHAM, Ala., April 23 (UPI)—An Alabama judge ruled today that former Lt. Gov. Albert Boutwell and his slate of nine councilmen were the legal government of Birmingham and ordered three reluctant city commissioners to yield their offices.

Circuit Judge J. Edgar Brown issued a terse order settling—at least temporarily—the dilemma when Boutwell and his slate took the oath of office two weeks ago and the incumbent city government refused to leave.

The incumbents—City Commissioners Art Hanes, Eugene (Bull) Connor and J. T. Waggoner—say they will appeal the decision to the Alabama Supreme Court.

212
NEW YORK TIMES

APR 21 1963

BIRMINGHAM COURTS SET BACK NEGROES

Special to The New York Times

BIRMINGHAM, Ala., April 21—Defense attorneys attempted to raise the constitutional question of the right of peaceful picketing and protest marches were ruled out of order today in a State Court hearing on contempt charges against 15 Negro de-segregation leaders.

Circuit Court Judge W. A. Jenkins Jr. sustained all objections to a line of questioning intended, the defense said, to show that different rules were being applied to Negro demonstrators than to others.

Earlier, in Federal Court, Judge Clarence W. Allgood sent back to Recorders Court the cases of more than 250 demonstrators that had been referred to him.

Counsel for the defendants invoked a 98-year-old section of the Federal Code adopted during Reconstruction days, which called for the trying of all civil

rights cases in Federal courts. Judge Allgood ruled, however, that the old law did not apply to the present cases.

Meanwhile, the Circuit Court reserved a decision on whether the newly elected mayor and a nine-man council had the right to take office now.

The three present city commissioners contend they cannot be superseded until Oct. 1, 1963. The new administration, headed by Mayor Albert Boutwell, is believed to have a moderate view toward segregation.

CONTEMPT TRIAL OF DR. KING OPENS

Birmingham Inspector Says
Protests Lead to Violence

By FOSTER MAILEY

Special to The New York Times

BIRMINGHAM, Ala., April 22—The Chief Inspector of the Birmingham Police Department testified today that serious trouble would have developed if recent protest marches and demonstrations by Negroes had not been halted.

The testimony opened contempt proceedings in circuit court against the Rev. Dr. Martin Luther King Jr. of the Southern Christian Leadership Conference, and other Negro leaders and groups.

The Chief Inspector, W. J. Haley, was asked by City Attorney Earl McElwain if racial clashes would have occurred if he had not forbidden the parades and taken extreme precautions.

"In my judgment we would have had serious trouble," he replied.

The witness, the inspector said, had not only halted the parade but had also kept white persons from the Negro areas where the parades were formed and marches held.

White agitators from outside Birmingham had spurred the violence two years ago when Freedom Riders were attacked at the Greyhound bus terminal, said Inspector Haley.

This time, Inspector Haley said, he had "seen some people whose looks I didn't like and ordered them away" from the areas where the Negro demonstrations were taking place. Others had been stopped elsewhere in the city by police, he said.

The defendants in the contempt proceedings are charged with "willful and deliberate violation of an injunction" issued by Judge W. A. Jenkins Jr. on April 10. The injunction barred anti-segregation demonstrations in bus boycotts.

Judge Jenkins is hearing the charges, which were brought by city officials.

Dr. King and others were arrested April 12 when they tried to demonstrate.

Inspector Haley testified one hour and 45 minutes under direct examination by Mr. McElwain and under cross-examination by Arthur D. Shores, a local Negro attorney.

Mr. Shores was flanked by

four lawyers from New York, all staff members of the Legal Defense and Education Fund of the National Association for the Advancement of Colored People.

Before Inspector Haley testified, Judge Jenkins rejected defense motions to delay or invalidate the hearing, or to invalidate the injunction.

However, he excused 36 of the 52 defendants for a hearing on May 6. That group did not include any of the leaders.

Last week, when the contempt hearing was ordered, defense attorneys had sought to serve subpoenas on about fifty witnesses, including Gov. George Wallace and other state and city officials. Most of those subpoenas were withdrawn this morning.

During the hearing, demonstrations continued. Sit-ins were made in lunch counters in four downtown stores. There were no arrests, but the counters were closed.

Dr. King and many of the other defendants walked the eight blocks from their motel to the county court building two abreast, the same formation they had used on their attempted protest marches, or "walks," as they call them.

Only Negroes were in the audience outside the rail in the small courtroom. White lawyers and some city officials sat on benches to the side of the room inside the court. Newspapermen took notes from the rail box.

APR 23 1963

9 Negroes Ask \$90,000 In Suits at Birmingham

BIRMINGHAM, April 22 (UPI)—The Rev. Dr. Martin Luther King Jr. and eight other Negroes involved in a 20-day-old antisegregation campaign today filed damage suits totaling \$90,000 against this city and its officials.

The Federal court suits claimed the rights of the plaintiffs were denied and they suffered personal damage from arrests during racial demonstration.

They each asked \$10,000 from the city. Mayor Art Hanes, Commissioners Eugene (Bull) Connor and J. T. Wag-

goner, Mayor Albert Boutwell, nine City Councilmen and the Council itself.

Under a disputed charge of city government election both the Commission and the Council claim authority over city affairs. A court has been asked to rule on which governs the city.

APR 23 1963

Ala. Trial Told of Revolution Hint

BIRMINGHAM, Ala., April 22 (AP)—A State Investigator testified today that a Negro leader said the Southern Christian Leadership Conference would turn to revolution, if necessary, to achieve minimum desegregation in Birmingham.

Lt. Willie D. Painter, testifying during contempt of court proceedings against leaders of the SCLC, including its president, the Rev. Dr. Martin Luther King Jr., said the comment came three days after the city obtained an injunction against Negro demonstrations.

Painter said the Rev. Wyatt Tee Walker, executive secretary of the SCLC, told him the revolutionary method would be used if "we don't accomplish our purpose by present methods." The comments came shortly after Dr. King's arrest at a Good Friday march on City Hall, Painter said.

Walker indicated that the SCLC had a following of approximately 2 per cent of Alabama's Negro population, Painter said. The investigator surmised that 2 per cent was sufficient to create a revolution.

Painter said Mr. Walker described Dr. King as a "philosopher and thinker" and that he was a strategist, inferring that he was the brains of the SCLC.

The investigator described the demonstration marches Good Friday and Easter Sunday and the part taken in them by Dr. King, Mr. Walker, the Rev. Fred L. Shuttlesworth and the Rev. Ralph Abernathy.

Dr. King and 14 other demonstrators were called before Circuit Judge W. A. Jenkins Jr. on charges by the city that they violated Jenkins's injunction against desegregation activities and thus are in contempt of court.

At the outset of the hearing, Jenkins rejected three motions by Arthur D. Shores, attorney for the defendants. Shores asked that:

- The criminal be separated

from the civil contempt cases. Jenkins first heard the Negroes request for dismissal of the injunction.

- Jenkins continue the cases of the original 15 defendants two weeks to give attorneys time to seek a writ questioning Jenkins's jurisdiction.

APR 22 1963

Negroes Accepted at 4 Birmingham Churches

By Robert Gordon

BIRMINGHAM, Ala., April 21 (UPI)—Four white churches quietly permitted Negroes to attend their services here today, but at least five churches turned them away.

Last Sunday, only two churches accepted Negroes in the congregation for Easter services.

The demonstrations were part of an antisegregation protest now in its 19th day in this steel center of the South. More than 400 arrests have been made since the protests started.

Guest Ribbons Offered

At the First Baptist Church, where Negroes were accepted Easter Sunday, five Negroes were admitted today. A white receptionist pinned red and white ribbons on the three men and two women that read, "A Welcome Guest."

They sat at the rear of the

church and sang along with the congregation. Several white persons got up and left.

Sixth Avenue Presbyterian Church, which turned away Negroes Easter accepted three Negroes today. The Negroes said they were welcomed with a handshake at the door and sat at the front of the church.

Negroes attended the Episcopal Church of the Advent for the first time. Last week, the church reserved five pews but Negroes did not visit. Three Negroes attended the First Presbyterian Church.

At the Southside Baptist Church, two Negroes were met by five white ushers at the bottom step.

Couple Turned Back Twice

"We don't have room for you. We only have room for our own people," the Negro couple said they were informed. They turned and

walked one block to a Meth-

odist church where they were also refused.

At Woodlawn Baptist Church, a young couple walked up the steps and were met by ushers. They quoted the ushers as saying "We would appreciate it if you don't come in. We don't want any trouble."

The large First Methodist Church in downtown Birmingham turned away two groups of Negroes. Ushers stopped the Negroes after they had asked, "may we worship with you?"

The Negroes said they were told that there was a city ordinance against integration and they could not attend. Small groups were also turned from the doors of the Church of Christ.

Meanwhile, the Rev. Martin

Luther King Jr., southern integration leader, is to go on trial in circuit court Monday on a contempt of court citation for violating a no-demonstration injunction.

APP 22 1963

The Washington Merry-Go-Round

Reactor Case News Suppressed

By Drew Pearson

At the very same time that Editor John M. Colburn of the *Wichita Eagle* was impressing the American Society of Newspaper Editors with "mounting evidence" of suppressed news, the Government was suppressing two vital pieces of information. One was the report of a malfunction of the Consolidated Edison nuclear reactor at Indian Point, Westchester County, New York, which is approximately five miles from 18 open lakes which supply drinking water to several million people in New York City.

As far as can be ascertained, the malfunction was not of a nature to contaminate the nearby water or neighborhood with radioactivity. However, whether serious or minor, the public has a right to know and the Atomic Energy Commission has kept its report classified.

Under the law, operating reports are required to be filed in the AEC document room every six months, and within 24 hours if there is a nuclear accident. However, the AEC has set up rules of its own, and has suppressed any details about the Consolidated Edison Accident, even though it occurred five months ago.

Secrecy Over Exiles

Second news suppression was regarding the expenditure of \$200,000 a month to Cuban exiles by Central Intelligence. There was no denial that this

money was being spent. However, official queries as to going anyway, which Cuban groups were getting the money and what it was used for brought the answer "classified."

This is part of the strict secrecy shroud placed around Central Intelligence, by which it is able to bribe foreign publications, recruit armies, and even hire naval vessels with no accounting to Congress, the General Accounting Office or anyone else.

Part of the \$200,000 monthly payment to Cuban exiles is to carry out the CIA program of raiding the Cuban coast, which puts both the exiles and Central Intelligence in the position of carrying out a directly contrary policy to that of the President.

In other words, Cuban exiles are paid by one branch of the Government to do one thing—and told not to do it all by the Commander-in-Chief.

This apparent conflict is all the more reason for letting the public have the full facts. However, CIA information remains suppressed.

NOTE—CIA Chief John McCone has been growing privately about President Kennedy's policy in Cuba, has said it has permitted Khrushchev to take over. CIA Mrs. Martin Luther King is known to have an effort to help her husband been in touch with Sen. Kennedy Keating (N.Y.). Mr. Kennedy's No. 1 Republican critic on Cuba, in the past.

Bobby Invades South

Attorney General Robert Kennedy has been advised by friends that he may be taking his life in his hands in visiting strife-ridden Alabama the last minute, about the cer-

tain showdown which is coming over integration of the South. The President's brother is speaking before the University of South Carolina on Thursday and, while in the South, wants to confer with Gov. Donald Russell of South Carolina, Gov. Carl E. Sanders of Georgia, and Gov. George Wallace of Alabama.

There was no trouble about seeing the first two. However, Gov. Wallace at first was reluctant. He fingered a telegram received from the Attorney General as if it were red hot asbestos. The telegram read: "Arriving Montgomery Wednesday evening April 24. I should like to call on you either then or next morning if you can spare a few minutes."

At first the Governor of Alabama indicated to friends that he would be too busy. Then he figured that perhaps the Attorney General was a man worth talking to after

Gov. Wallace is an affable, likeable man, but the hair rises on the back of his neck when anyone talks to him about integrating the University of Alabama.

And simultaneously with the receipt of Bob Kennedy's telegram, Alabamians had received word that the Kennedy's had been talking to Mrs. Martin Luther King in an effort to help her husband. All this added to the unwelcome atmosphere as far as the Attorney General is concerned.

Can Be Charming

What the Attorney General wants to do is talk face-to-face with Gov. Wallace, not on the telephone, and not at the last minute, about the cer-

tain showdown which is coming over integration of the South. The President's brother is speaking before the University of South Carolina on Thursday and, while in the South, wants to confer with Gov. Donald Russell of South Carolina, Gov. Carl E. Sanders of Georgia, and Gov. George Wallace of Alabama.

The Attorney General doesn't plan to lay down any ultimatums. Bobby can be extremely friendly and charming. Also he can be tough. He's planning to try to persuade the Governor of Alabama to take a more reasonable stand, and not turn Alabama into another Mississippi. The last thing Kennedy wants to do is have to arrest the Governor of Alabama.

NOTE—Bob Kennedy will hold a press conference in Alabama, will answer questions on TV if requested. He was invited to speak at the University of South Carolina by the faculty, part of a move by Southern universities, which many Northerners don't appreciate, to give a hearing to all viewpoints. Southern universities have been extremely liberal in this respect.

Capital Chaff

Secretary of Defense McNamara has suggested privately that upper classmen at West Point, Annapolis, and the Air Force Academy should be ordered to curb their hazing of first-year men. The *Arkansas Gazette* commented with interest on the fact that Gov. Faubus was cutting underbrush along the highway with a double-bladed axe so soon after the formal beheading of Highway Director F. R. Oliver. Faubus was found in the underbrush somewhat in the fashion of Moses' discovery by Pharaoh's daughter. As far as the *Arkansas Gazette* is concerned, "Mr. Faubus can stay up there in the hills as long as he likes."

Copyright 1963, Bell Syndicate, Inc.

APR 19 1963

Race Barriers Seen Losing in Birmingham

A veteran minister from Birmingham, Ala., released temporarily from that city's jail yesterday afternoon, told a Capital Press Club Forum last night that direct action assault on segregation there meant that the time had run out on unfulfilled promises.

The Rev. Fred Shuttlesworth called Birmingham the Johannesburg of North America and a segregation "hard core" area where the Negro had to make a confrontation with racial hatred to win his rights as a citizen.

Mr. Shuttlesworth said it was difficult to pinch-hit for The Rev. Dr. Martin Luther King, leader of the Birmingham desegregation drive, who was scheduled to speak.

Dr. King was arrested Friday for the 13th time on a charge of parading without a permit. He is still in jail in Birmingham, and Mr. Shuttlesworth said that he and some of the other prisoners had begun to grow beards there.

Mr. Shuttlesworth, who moved his family last fall to Cincinnati to avoid harassment in Birmingham, still commutes there as head of the Alabama Movement for Human Rights and as secretary of Mr. King's Southern Christian Leadership Conference.

He was the last of three special speakers to address forums in different Washington churches on "100 Years of Freedom" sponsored by the Capital Press Club. Last night's meeting was in All Souls Unitarian Church, 18th and Harvard sts. nw.

At the meeting, it was announced that a mass demonstration is planned here for three hours on Saturday in support of the Birmingham drive, with demonstrators meeting at noon at a parking lot at 15th and Fuller sts. sw.

The speaker said that Dr. King was not seeking headlines, but that "this is the time to bring about the ideals . . . which Americans have been singing about for 100 years."

Asked what the Kennedy administration should do to step up its fight for racial equality, Mr. Shuttlesworth said it could press for authority by the Attorney General to instigate law

suits, and to fight against the misuse of court procedures—such as injunctions—to frustrate the objectives of the Constitution.

NEW YORK TIMES

APR 15 1963

15 Birmingham Negroes Seized In March to Registration Office

By FOSTER HALEY

Special to The New York Times

BIRMINGHAM, Ala., April 15—Only a block when the police arrested Mr. Crawford and 15 Negroes were arrested today when they attempted to march from a Negro church to the county building to register as voters.

The march marked a new phase in the campaign against racial segregation that began here two weeks ago. Its purpose was to stimulate Federal intervention. A leader of the Southern Christian Leadership Conference of Atlanta, who is participating in the local desegregation efforts, said the voter registration issue was being raised to make the Birmingham dispute a Federal matter. "This is the only way we can get the Justice Department in on this," said the Rev. Andrew Young, pastor of the Congressional Church in Atlanta. "If we get tangled up in this, they can step in."

Picketing and attempted sit-ins at segregated lunch counters continued. Thirty other Negroes were arrested in those attempts, bringing to more than 200 the number now in jail or free under \$500 bond.

The registration march began after Police Chief Janice Moore warned the Negroes that they would be arrested.

Chief Moore entered the basement of the Sixteenth Street Baptist Church, on the edge of a Negro district, to give the warning. Perhaps 150 persons were there being instructed on how to fill out registration forms.

"I don't have anything against your registering to vote," Mr. Moore told them. "You know that. But if you march out of here as a parade you will be in violation of a city ordinance and we will take necessary action to keep you from violating the law."

A few moments later a group led by the Rev. Henry Crawford, a local Negro minister, started marching toward the county building. They had gone

Justice Department officials have said that events here were not within Federal jurisdiction. Several Negroes did apply for registration, meanwhile, at the county building. George Bollinger, chairman of the Board of Registrars, said that he had not noted how many Negroes there had been.

Approximately 12,000 Negroes are registered to vote in Jefferson County, more than 8,000 of them residents of Birmingham. Their votes have often been crucial in close elections.

A Correction
In an article from Birmingham, Ala., The New York Times of April 15 reported that two young Negro women attended Easter Sunday services at the all-white First Christian Church. The church should have been identified as the First county building. They had gone

APR 17 1963

3 IN BIRMINGHAM FACE OUSTER SUIT

New Administration Seeks
Predecessors' Removal

By FOSTER HALEY

BIRMINGHAM, Ala., April 16 — Mayor Albert Boutwell and a new City Council organized as a government today and filed suit to oust their predecessors who refused to surrender their offices.

Circuit Court Judge J. Edgar Bowron will hold a hearing next Tuesday on their petition. Whatever his decision, an appeal is sure to be taken to the State Supreme Court. A decision is expected within two weeks.

Mr. Boutwell and the new nine-man Council were elected April 2 under a new form of government approved at a referendum last November. Their predecessors, Mayor Arthur J. Hanes and two fellow commissioners, contend they should not yield their offices until their terms expire in October, 1965.

The racial question is not an issue, except indirectly. There is no question, however, that votes are often decisive in close elections. The Negro vote was decisive in the election of Mr. Boutwell, when he defeated the city's chief segregation spokesmen. Commissioners T. Eugene Connor and J. T. Waggoner.

In the suit filed today, both Connor and J. T. Waggoner are asking their legal right of delay to permit a quick court decision.

Mayor Hanes has allotted temporary office space at City of

Hall to Mr. Boutwell and the days. There were only a few at new Council, which will meet tomorrow to approve work projects already underway. Some arrests were made, but many citizens of Birmingham at least one store manager are anxious to see the new administration in office. One reason is that they believe its installation will ease the racial tension that has been building

The petition seeking the removal of the three commissioners was filed with Circuit Court Judge Whit Wandham in the absence of Judge Bowron, who is on vacation. Judge Wandham transferred the case to Judge Bowron, who heard a previous taxpayer suit seeking to invalidate the November referendum. Judge Bowron ruled the referendum valid and the decision was upheld by the State Supreme Court. The appeals court, however, declined to rule on when the new Mayor and Council would be entitled to assume office.

Negroes began direct action campaign for desegregation two weeks ago, including sit-ins at lunch counters, picketing, and protest marches. Three marches resulted in clashes with the police and the arrest of more than 250 Negroes. The Rev. Dr. Martin Luther King Jr., head of the Southern Christian Leadership Conference, is among those in jail.

Negro Delay Is Sought The Justice Department has urged the Negro leaders to postpone direct action until after Mr. Boutwell and the new Council are in firm control.

The Rev. Andrew Young, an official of the Leadership Conference, said this evening that the direct action campaign would now turn to a voter registration drive. A mass meeting to stimulate interest is to be held tomorrow. There are now estimated to be from 11,000 to 12,000 voters registered here out of a Negro population of 145,000. Their I know, this was the first time he had requested a chance to call his wife.

He knew that she just recently had had a baby and was home from the hospital only a few days. That was the only reason we let him call. Dr. King talked with his wife by telephone last night after President Kennedy called Mrs. King and assured her that her husband was safe. Mrs. King said that the President had arranged for her husband to call

Kennedy's Role Denied

BIRMINGHAM, Ala., April 16 (AP)—Police Chief James Moore denied today that President Kennedy had arranged for the Rev. Dr. Martin Luther King Jr. to Mrs. King.

"King called his wife sometime yesterday," Chief Moore said. "It was not arranged by Kennedy or anyone connected with the President. As far as I know, this was the first time he had requested a chance to call his wife."

"We knew that she just recently had had a baby and was home from the hospital only a few days. That was the only reason we let him call."

Dr. King talked with his wife by telephone last night after President Kennedy called Mrs. King and assured her that her husband was safe. Mrs. King said that the President had arranged for her husband to call

APR 17 1963

9 Negroes Arrested In Lunch Stand Drive

BIRMINGHAM, April 16 (UPI)—Nine Negroes were arrested today after attempts to desegregate lunch counters. Six other Negroes, stymied in an effort to reach a department store lunch counter, sat on the floor for seven minutes. The six were stopped when the manager threw up a chain across the lunch counter entrance.

Two more were arrested at a lunch counter and charged with violating fire laws by smoking in the store and two others were arrested at a combination bakery-cafeteria when they refused to leave a lunch counter. One Negro leader, the Rev. F. L. Shuttlesworth, said the antisegregation protests had spread to include a voter registration campaign.

The arrests brought to about 275 the number of persons taken into custody since racial demonstrations began here 14 days ago.

Five Negroes carrying anti-segregation placards were to those in Greenwood, Miss.

Undeclared Alabamian

Albert Boutwell

BIRMINGHAM, Ala., April 15. His friends laugh when Alton Boutwell steps up to his feet to make a speech at the luncheon in honor of a young man in the 30-year-old Birmingham lawyer announced he is a candidate for elective office. Mr. Boutwell is well known as Mayor of Alabama and the largest city in the South. He is running for office against his state's Governor, who is at the same time running for president of the United States there in 1924. He has not been defeated since then.

Mr. Bortwell said that different parts under any definition of the term, but it is considered a moderate or mild case, and he is not planning to complain.

Mr. Bortwell was a state senator from Jefferson County, Tennessee, from 1906 to 1918. He was a lieutenant of the term, but for years. Had a good record and was a member of the Democratic party, a vote in May he carried from the Governor.

Mr. Bortwell stated, he ran for Mayor this spring and placed a good record more than 20 years ago.

Mr. Hoover pointed out that the FBI is not in the business of making judgments about the morality of individuals. He said that the FBI is only concerned with the facts of the case and the law. He said that the FBI is not a moral agency and that it is not its business to make moral judgments. He said that the FBI is only concerned with the facts of the case and the law.

Sincerely Applauded

[illegible]

The Land Express, a weekly publication, also appears in the Legislature; they have to be most effective, hardest working, most conscientious, and so forth. Mr. Rutwell was always named in the category of another. He never saw a legislative session at any other meeting.

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.



Few really criticize him

Mr. West is graduate of high school. He entered the university at Tusculum in 1925 and took his law degree three years later. He then lived out a couple of years in Birmingham where he is now residing.

Mr. Rootwell had been
the way through the
house for him to find
him. He told, and he has
never made more than a
few days from his
life and public service.

In 1931 he met Helen Baker, the daughter of a Birmingham physician, at a social gathering at the Highland Methodist Church. A few months later they were married. They have three children: Linda, Hunter, and a son, "Bo." Los Angeles, Albert Linter, 71, a law student, and Charles Grace, 15, who is president of the student body at the Ramsey High School here.

Mr. and Mrs. Boutwell entertain frequently, mostly with backyard cookouts at which Mr. Boutwell, in chef's hat and apron, presides as chief cook.

Except for bowling, Mac's Fortwell's only other recreation is fishing. He is slightly tall, of medium height, with thinning gray hair, a firm handshake and a pleasant smile. He is not an impressive speaker, but he does impress with his sincerity.

NEW YORK TIMES

APR 3, 1965

Racial Peace in Birmingham?

The swearing in of a new Mayor and City Council in Birmingham offers hope for a more enlightened approach to race relations in that strife-ridden industrial city. Birmingham's citizens, white and Negro, have made plain their desire for a changed municipal attitude by their selection of a moderate administration headed by former Lieut. Gov. Albert Boutwell.

We do not expect that there will be overnight rejection of all the policies that caused so much distress to the Negro community. The Rev. Dr. Martin Luther King Jr. and other leaders of

the drive to break down racial barriers ought not expect it either. The patterns of segregation and discrimination are deeply rooted. They are made harder to dislodge by unemployment and the movement of plants out of Birmingham.

The first task confronting the new officials is to establish in the Alabama Supreme Court their right to take possession of City Hall. The old Mayor and his Safety Commissioner, T. Eugene Connor, insist they cannot be superseded until the formal expiration of their terms in 1965. Most legal experts believe that the voters' decision last November to change the form of government will eliminate any serious legal holdback. What the new City Council will need, then, is a cooperative spirit on the part of all of Birmingham's people in promoting racial peace based on mutual respect and equality of opportunity.

Attorneys Ask Trial of King in Federal Court

BIRMINGHAM, Ala., April 15 (AP) — Attorneys for the Rev. Dr. Martin Luther King Jr. argued today the Atlanta Negro minister could not get a fair trial in this Deep South city rocked by racial and political unrest and asked that he be tried in Federal court.

Nine more Negroes were jailed shortly before noon as Negroes continued the 13-day old desegregation drive Mr. King has spearheaded.

The Negroes had attempted to be served at a department store lunch counter. More than 250 arrests have been made since protest demonstrations and sit-ins began here April 3.

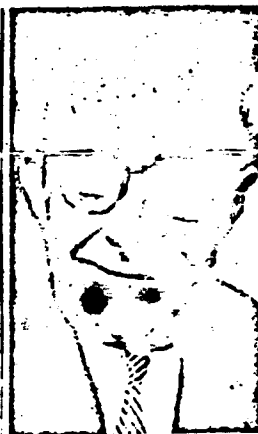
Mr. King was charged along with 53 others with parading without a license in this industrial center which he has called "the most segregated big city in the United States." Mr. King spent Easter weekend in jail. He was returned to his cell following the hearing today.

In Atlanta, Mr. King's wife said President Kennedy called her today and assured her of her husband's safety.

(She said the President told her that Federal Bureau of Investigation agents had talked to her husband in the Birmingham jail last night and confirmed he was all right. She said Mr. Kennedy told her her husband would be calling her soon. She said she received a call from him shortly after that.)

Mr. King's attorneys made their plea to move his trial from local to Federal jurisdiction in a closed hearing in city recorder's court.

Under what a clerk called a "new policy," both newsmen and spectators were barred from the recorder's court hearing.



Associated Press

ALBERT BOUTWELL.

... Birmingham's new mayor

Birmingham, a freshman at Stillman College, Tuscaloosa, and Jimmy A. Hood, 20, East Gadsden, a sophomore at Clark College in Atlanta.

Negro integration leaders had promised a demonstration during a meeting in city offices for a mayor and nine city councilmen today but the protest failed to materialize.

Incoming Mayor Albert Boutwell, considered more moderate on racial issues than the incumbent, and the other new officials may have to go into court to oust the present administration which has refused to step down.

Boutwell and nine councilmen elected in a change-of-government election were expected to file suit Tuesday to force the ouster of three city commissioners who have refused to step down.

One of the commissioners who has refused to leave his post is Eugene (Bull) Connor, the current police commissioner who has directed police handling of the recent demonstrations.

Three File Suit To Enter University

BIRMINGHAM, Ala., April 15 (UPI)—Three Negroes filed a Federal court suit today

New Birmingham Regime Sworn, Raising Hopes for Racial Peace

By FOSTER HALEY

BIRMINGHAM, Ala., April 15 — Mayor Albert Boutwell and the new City Council were sworn in today. They pledged to give Birmingham a "new era of economic and cultural growth."

The giggles of little girls as they were lifted to the microphone contrasted with the sounds of demonstrations carried on the last 13 days by Negroes protesting the city's strict segregation barriers.

Neither Mr. Boutwell, a former state Senator and Lieutenant Governor, nor any of the nine council members referred directly to the sit-ins at restaurants, "prayer walks" and protest marches that have been taking place.

The Mayor came closest to mentioning the racial situation when he said:

"I am determined that we shall present the true and positive picture of both our city and people to the rest of the world."

OFFICIALS SWORN AT BIRMINGHAM

Continued From Page 1, Col. 2

"Whatever our shortcomings may be, they are our own local problems and we shall resolve them by local effort and local unity."

"We shall not submit to the intimidations of pressure or to the dictates of interference. We are blessed by good conscience among all our people, and we have both the intelligence and will to live and prosper in peace and, in good time, mutual respect and understanding."

"We are not, any of us, unaware of the magnitude of the assignment we have accepted. We are not unaware that much of the future of Alabama, the South and, to a degree, the nation depends upon the wisdom and the firmness of our decisions and actions. We accept the future's challenge."

(Court to Rule Today)

The new administration did not immediately take over. The three City Commissioners, led by Mayor Arthur Hanes and Safety Commissioner T. Eugene Conner, insist they cannot be superseded until the expiration of their terms in 1964.

The question is to be submitted to the State Supreme Court tomorrow, when the new government will demand physical possession of City Hall.

A quick ruling is expected in favor of the new officials. In voters last November decided to abolish the old form of government. Mr. Boutwell and the new council were elected recently.

One council member, George A. Seibels, is a Republican.

Minor demonstrations today showed that the racial conflict was not over. Nine Negroes were arrested when they sought service at lunch counters in two downtown stores.

The strategy of leaders of the direct-action campaign against segregation appeared to be to withhold major demonstrations until after the new administration had legally taken office. Indications were that the Negro leader would wait to see whether the regime would hear their complaints and act on them.

While the swearing-in ceremonies were going on, more than 50 Negroes were being arraigned in Recorder's Court on charges of parading last Friday without a permit.

The group included the Rev. Dr. Martin Luther King Jr., head of the Southern Christian Leadership Conference of Atlanta, which has directed the desegregation fight in the South. Dr. King led Friday's march.

The cases, as all recent ones have been, were referred to Federal Court. Judge Clarence W. Alford has set a hearing date a week from tomorrow to decide whether the Federal Court has jurisdiction.

Friday's march and one attempted yesterday under Dr. King's younger brother, the Rev. A. F. King of Ensley, defied a Circuit Court injunction issued Wednesday. Dr. King's attorney

news filed a petition today with Judge W. A. Jenkins Jr. seeking its dissolution.

The petition charged that the injunction had been granted without a hearing, thus violating due process, and that sought to enjoin acts that a constitutional right to free speech and assembly.

APR 12 1963

Birmingham Arrests Negroes Defying Ban

BIRMINGHAM, Ala., April 11 (AP)—Negro demonstrators defied a State injunction against racial demonstrations today and small groups carrying signs protesting segregation were arrested.

Copies of the injunction, issued last night, were handed Negro leaders early today.

Those arrested were charged with parading without a permit and with demonstrating without a permit. There was no mention of the injunction in the charges.

Small groups of demonstrators slipped past policemen and brought out signs that had been hidden, while another group of Negroes paraded aimlessly through several stores.

Police arrested demonstrators in groups of five or six. There was no violence.

Negroes carried signs that said "Don't buy segregation," "Through dogs and jail, we'll get freedom," and "Khrushchev can eat here, why not American Negroes?"

More than 150 persons have been arrested since racial incidents began in this Deep South city April 3.

Cases against 65 Negroes have been transferred to U. S. District Court. The city of Birmingham has requested that the cases be returned to city court.

Despite the injunction, Negro leaders said demonstrations would continue.

"We cannot in all good conscience obey such an injunction which is an unjust, un-

democratic and unconstitutional misuse of the legal process," declared the Rev. Dr. Martin Luther King Jr., president of the Southern Christian Leadership Conference (SCLC), one of those named in the injunction obtained by city officials in Circuit court yesterday.

APR 12 1965

NEW YORK TIMES

NEGROES DEFYING BIRMINGHAM WRIT

12 Pickets Are Arrested
—Dr. King and Aides to
Lead New Protest Today

By FOSTER HALEY

Special to The New York Times

BIRMINGHAM, Ala., April 11 Negroes defied a County Court injunction and continued demonstrations today against segregation.

The Rev. Dr. Martin Luther King Jr. and local leaders of the direct action campaign announced their intention to defy the injunction at noon. Three hours later seven pickets appeared before the Fifth Department State.

Five more were arrested before the day's demonstration came to a halt.

All 12 were charged only with parading without a permit or with loitering, not with violation of the injunction.

Two large rallies were held tonight in Negro sections of the city. At the second, in a sports park, Al Hibbler, the blind Negro singer, performed. Admission of \$2 was charged.

There was no violence in any of today's demonstrations, although the white driver of a passing truck called to television cameramen.

"Why don't you put buckshot in those things and shoot those black bastards."

The store pickets were arrested immediately and taken to Southside Jail to join more than 100 other demonstrators seized since the campaign began nine days ago.

The injunction against Dr. King, other leaders of the Southern Christian Leadership Conference, the Rev. Fred L. Shuttlesworth, head of the Alabama Christian Movement for Human Rights, and 134 other persons was issued last night by Circuit Court Judge W. A. Jenkins. It was served on Dr. King at 1:30 o'clock this morning.

The injunction prohibits virtually every protest activity that can be conceived.

Continued on Page 12, Column 1

Continued From Page 1, Col. 3

cotts, sit-ins, parades, picketing and kneel-ins at churches.

Anyone arrested now will presumably be charged with contempt of court. That would carry a considerably higher penalty than the maximum that can be assessed in City Recorder's Court. The maximum there is a jail term of 150 days and a fine of \$100.

The injunction was issued on the complaint of Safety Commissioner T. Eugene (Bull) Connor and Police Chief Jamie Moore.

They said that they feared that continued acts of protest by the Negroes "will cause incidents of violence and bloodshed" and that the complainant had "no other adequate remedy to prevent irreparable injury to persons and property in the City of Birmingham."

Dr. King said told a news conference that he and other leaders expected to lead a protest march of Negro ministers tomorrow.

"I am prepared to go to jail and stay as long as necessary," he said.

Although Dr. King has been here for a week, he has not participated in public demonstrations. Instead, he has been attempting to rally the Negro community of 100,000 behind the direct-action campaign.

One of his aides, Dr. Frank Abernathy, an Atlanta minister, said that tomorrow was selected for the first public demonstration because it was Good Friday.

"Almost 2,000 years ago Christ died on the Cross for us," he said. "Tomorrow we will take it up for our people, and die if necessary."

Dr. King said that the demonstrations would continue to Easter Sunday with kneel-ins at white churches.

"I will be here," he said, in answer to a question "until we get some good-faith demonstration of an intent to grant the things we are asking for."

Among the demands are desegregation of snack bars in downtown stores, fair hiring policies in the stores and city department, reopening of parks and other public facilities on a nonsegregated basis, desegregation of the schools, and formation of an interracial group to work out common problems.

APR 11 1963

NEGROES UNITING IN BIRMINGHAM

Anti-Segregation Picketing
Again Led by Blind Singer

By FOSTER MAILLY

Special to The New York Times

BIRMINGHAM, Ala., April 9 — The Negro community, which had appeared to be divided on the direct-action campaign against racial barriers in Birmingham, was reported today to be closing ranks. The campaign began eight days ago. There still seemed to be resentment against the intrusion by the Rev. Dr. Martin Luther King Jr. and members of his Southern Christian Leadership Conference of Atlanta into the local situation at this time. But it was not vocal, and appeals for unity were bringing pledges of support from many quarters. Some Negro leaders were said to feel that the city's entire Negro population of 150,000 had now been committed, whether they liked it or not.

The pace of the campaign increased today with the picketing of several downtown stores, a decoy march that lured police reserves to another area and a sit-in at the city library, on the edge of the business district.

Eight Negroes who entered the segregated library were not arrested. They strolled through three of the four floors and sat at desks reading magazines and books. The police were present but did not order the Negroes to leave. They left voluntarily after about half an hour.

About 25 whites were in the library when the Negroes entered. Some made derogatory remarks such as, "It stinks in here." Others asked the Negroes, "Why don't you go home?" But there were no incidents.

Blind Singer Leads Pickets

The pickets were again led by Al Hibbler, blind Negro singer from Teaneck, N. J. But again as yesterday, the police did not arrest him.

After 25 pickets had been loaded in police vans and taken to South Side jail, Mr. Hibbler was placed in a patrol car and driven back to his motel. Yesterday he was taken to the jail and sent home from there.

"The police are trying to segregate me from my own people," Mr. Hibbler complained.

The pickets, carrying signs saying "Don't Buy Segregation" and "Don't Shop Where You Can't Eat," did considerable parading before being arrested. The reason was that police reserves had been concentrated near City Hall on a "leaked" report that a protest march starting from the Federal Building, four blocks away, was to finish there.

A group did set out from the Federal Building, which contains the post office, Federal courts and offices. But when the police started to block off the street, they dispersed.

At that moment the pickets began emerging from cars in the center of the business section three blocks away, and it was some time before the police could re-deploy to round them up.

Negro Crowd Cheers

For the first time since Sunday, large groups of Negroes collected and cheered the pickets.

"We'll join you," some shouted as the police vans left with the prisoners. When some

police started toward one added, "You can't do anything. Rev. Wyatt T. Walker, whose group, Safety Commissioner T. even entertain."

Eugene Connor waved them back. Meanwhile, encouraged by the Leadership Conference.

"Leave them alone," he told the policemen. "They won't cause any trouble."

The crowd dispersed, and there were no incidents. The crowd dispersed, and there were no incidents.

There was a brief exchange between Commissioner Connor and Mr. Hibbler when the latter tried to join the pickets in on the church steps and pray. The police ran.

"Get back against that wall," Mr. Connor told him.

"Don't tell me to get back against the wall," Mr. Hibbler replied, "I'm a free man."

"You can't work and anyone shuttlesworth, head of the Ala. all desegregation efforts, has food."

Mr. Connor said, as a Human Rights, which has head-attained national prominence

bler. Then the Commissioner Tactical moves are under the last two years.

APR 10 1963

ALABAMA POLICE JAIL BLIND SINGER

Al Hibbler Later Freed in
Birmingham Racial Unrest

By FORTUNE HAYLEY

BIRMINGHAM, Ala., April 9—Al Hibbler, the blind Negro singer, and a white Northerner were arrested today after joining Negro-led demonstrations against racial segregation in Birmingham. The singer was later released. The police said he had been picked up by mistake. The singer was later released. The police said he had been picked up by mistake. Mr. Hibbler, of Teaneck, N. J., flew here yesterday to join the anti-segregation campaign. The white man, Carl Keith of Evanston, Ill., told reporters he had come down "to see what this was all about" and decided to join the demonstrations. Mr. Hibbler, Mr. Keith and seven others were arrested when they appeared at "integration corner"—19th Street and Third Avenue North—shortly after noon with painted signs calling for an end to segregated lunch counters and schools. The area was thronged with shoppers, both white and colored, when the nine demonstrators joined an earlier group of four Negroes in front of Love's department store. There was no disorder. The police merely stopped the picketers and took away their signs. The first four were not arrested, but when Mr. Hibbler and Mr. Keith and their companions appeared, a police captain ordered a patrol wagon and

they were taken to Southside a case in Huntsville, Ala. In Jail. Scores of other demonstrators have been arrested here over the last few days. Safety Commissioner T. Eugene Conner has promised to let the demonstrators out of jail if the demonstrations are not halted. The jail population was decreased by 20 last night and this morning when bonds of \$200 each were posted for many demonstrators. The bonds were posted after attorneys for 29 of the demonstrators had invoked in City Court an old Reconstruction-era Federal Criminal Code that provides for trial in Federal Court in cases involving civil rights. No formal action was taken by the Federal Court here. But it was agreed among Federal judges, including Judge Charles H. Jones, Jr., and other city judges, that invocation of the Federal Court ruling would require a Federal campaign. The case will be heard next week, by Federal Judge Charles W. Allen. When he returns from trying to be more moderate

the meantime, it was agreed that the demonstrators could be released on bail. Among those released was the Rev. Fred L. Shuttlesworth, who is president of the Alabama Christian Movement for Human Rights. Mr. Shuttlesworth resumed his principal adviser in Dr. Martin Luther King Jr. of Atlanta, who is head of the Southern Christian Leadership Conference. Dr. King came to Birmingham last Wednesday. Earlier, he was arrested at mass rallies in churches, he has taken part in the demonstration. Dr. King and local leaders have been criticized here and elsewhere for the timing of the present City Commission, which is ardently anti-segregationist, will be replaced by a newly elected City Council. Trying to be more moderate

100 Troopers Join Police In Tense Birmingham

By Robert Gordon

BIRMINGHAM, Ala., April 4 (UPI)—One hundred state troopers reinforced 360 police men in this rapidly tense city today while 39 jailed Negro demonstrators won a courtroom maneuver aimed at transferring their cases to Federal court.

State Safety Director Al Linzo and Highway Patrol Capt. Joe Smalley led the Highway Patrol reinforcements. They represented their Saturday March by the about one-third of Alabama's entire state trooper force.

Both Police Commissioner Eugene "Bull" Connor and Police Chief James Moore denied they had requested the patrolmen who moved into this steel center over the weekend and today.

The city was quiet today. A series of sit-ins started in the afternoon but there were no arrests. Negroes in small groups entered eating facilities of two dime stores and a department store but store officials closed the area and turned out the lights. The Negroes left.

Some of the highway patrolmen were returned to their normal duty stations late today when the racial tensions showed signs of easing.

In all 82 Negroes have been arrested since racial demonstrations started here last Wednesday. The first open contact between police and demonstrators occurred yesterday when patrolmen and police dogs broke up an anti-segregation "prayer pilgrimage" march on City Hall, sending 60 Negroes scurrying.

Attorney William M. Kinney of New York City filed

a petition with Recorder's Court Judge Charles Brown requesting the cases of 39 Negroes up for trial today be moved to Federal court under an 1868 civil rights statute. Most of the Negroes were jailed Saturday and charged with parading without a license.

The Negroes involved in today's court action, which the city will contest, were led to the Saturday March by the Rev. F. L. Shuttlesworth.

Shuttlesworth held a news conference today during a court recess and told reporters that U.S. Attorney General Robert Kennedy had "asked that we hold off" the Birmingham racial demonstrations.

He said Kennedy asked for a moratorium because of school integration suits pending in Federal court here.

Shuttlesworth said Negro leaders decided to proceed because several businessmen threatened on their word last September to integrate store facilities.

APR 9 1963

NEGROES' TRIALS GO TO U.S. COURT

Birmingham Demonstrators
Cite Reconstruction Law

By FOSTER HAILLY

Bureau of The New York Times

BIRMINGHAM, Ala., April 8 — Negroes seeking to break down racial barriers in this steel center of the deep South won their first legal victory today.

A section of the United States Criminal Code dating back to Reconstruction Days was invoked to win transfer of the cases of thirty-nine demonstrators arrested Friday and Saturday from City Recorder's Court to Federal jurisdiction.

They remained in city custody, however, pending issuance of writs of habeas corpus which were being sought.

Efforts, meanwhile, were being made both by the Justice Department in Washington and by some local Negro leaders to bring about a halt in the direct action campaign begun last Wednesday to breach the segregation barriers here.

Fears of Clash Voiced — Violence erupted briefly last night, bringing fears of inter-racial clashes.

So far such efforts have been rebuffed both by local leaders of the campaign and by the Rev. Dr. Martin Luther King Jr., one of the chief leaders of the de-segregation movement in the South who flew in from Atlanta last week to help local leaders.

"We have had all the more torments we want," said the Rev. Fred L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights, who revealed Washington's intervention. "We are in this to the end."

The plea from Washington

and local Negro moderates has regaled counters in downtown Birmingham based on a change of city stores.

Administrations, scheduled to take place April 15. The new Mayor and City Council are believed to be, or to have been, sympathetic to some step-by-step integration.

Timing Questioned

The argument is that the direct-action campaign was poorly timed, is making heroes of the present City Commission, which is opposed to any integration and tying the hands of the incoming mayor and council.

One local Negro leader who has made his opposition public is the Rev. C. Herbert Oliver, secretary of the Inter-Citizens Committee of Birmingham.

The committee, composed of eight Negro and two white clergymen, was formed two years ago. It has been a strong voice for removal of racial barriers here.

Mr. Oliver issued a statement here last night, saying the direct-action movement was "operating in a vacuum."

"There is no one to go to to negotiate grievances," he stated. "The old commission has been repudiated by the voters, the new one has not taken office."

The start of the direct-action campaign was blamed by Mr. Oliver for postponement of a hearing planned for Birmingham by the Federal Commission on Civil Rights. It had been tentatively set for April 22 and 23.

Mr. Oliver made it clear that he and others are not opposed to any of the campaign, but they believe that at this time it is doing more harm than good. They believe that the white and Negro communities of the city are being set up against each other.

He said that the demonstrators are not opposed to the new Mayor and City Council, but they are opposed to the present City Commission, which is opposed to any integration and tying the hands of the incoming mayor and council.

Twenty-four others who were tried in Recorder's Court, found guilty of violating a city ordinance against "trespass after warning" and sentenced to jail for 160 days each and fined \$100 will have to wait a few days before gaining their freedom.

Appeals are being filed in County Court. When the cases are called, section 2412 of the Federal Code, enacted in 1956, will be invoked there.

Twenty-six who were arrested yesterday are to be arraigned Thursday. Similar action is expected when they appear in Recorder's Court.

There is likely to be a delay of several days, or even weeks, before the cases are heard in Federal court.

Judge Clarence W. Allgood

before whom the cases will be heard, is sitting now in Huntsville, Ala., and may be there for two weeks, his office said.

New York Lawyer

The section of the Federal Code was invoked by William N. Kunstler, a white lawyer from New York who flew in today to replace local lawyers. He had previously successfully invoked the section in Miami.

Mr. Kunstler is counsel for a Negro group seeking complete integration of schools in Eaglewood, N. J. He is not connected with the National Association for the Advancement of Colored People, with which he has been erroneously associated.

After the ruling in Recorder's Court this morning there were further sit-in demonstrations.

When Negroes appeared this afternoon at counters in two downtown stores and a hamburger stand, the counters merely were closed and the demonstrators allowed to sit there till they left voluntarily.

Except for the brief flurry last night when police dogs were used to disperse several hundred Negroes watching a arrest of 119 prayer marchers and one man was attacked by a dog, the demonstrations and arrests all had been carried out quietly.

The Police have been impartial in clearing spectators from the scene, moving back white as well as colored onlookers. They have been charged in the past with using force only against Negroes.

APR 8 1963

WASHINGTON POST-TIMES HERALD

APR 8 1963

AP

Birmingham Police Use Dogs On Negro 'Prayer Pilgrimage'

By Paul Phillips
BIRMINGHAM, Ala., April 7 (UPI)—Patrolmen and police dogs waded into a crowd of about 600 Negroes marching to a Palm Sunday anti-segregation "prayer pilgrimage" at City Hall here today and sent them scurrying. Twenty-three stragglers were arrested and taken to jail.

Hundreds of the Negroes, who moved back to a park near the St. Paul Methodist Church where the march originated, ran screaming when police moved in with dogs to clear the area.

One Negro, who apparently pulled a knife when approached by a dog, was subdued by five officers and a dog. Two others were arrested in the park.

The other 20 persons jailed were the vanguard of the prayer pilgrimage and were arrested as they knelt on a city street by a police road block to pray.

Police said there were no serious injuries.

Police, under command of Birmingham's police commissioner Eugene (Bull) Connor, halted the marchers at a road block after about two blocks of the six-block march from the church to City Hall.

Police with bullhorns ordered them to turn around and disperse. The main body halted, but a vanguard, led by the Rev. A. D. King brother of integration leader Martin Luther King Jr., continued for another half block.

When they knelt to pray, an officer ordered them to leave in one minute and began ticking off the seconds on his watch.

King prayed "to be treated as human beings, with dignity."

At the end of 60 seconds, the officer turned to the other patrolmen and said: "All right, let's go."

He told the Negroes they were under arrest for parading without a permit and asked them to "please step over" to three waiting paddy wagons. Then the police turned to the hymn-singing crowd about a half-block away.

The Negroes — strung out along four city blocks — moved back to the city park, but gathered there. Police then moved in with the dogs.

Connor ordered all whites out of the area and told his men to "let them (Negroes) stay down there in their own section."

Birmingham Protest Ended as Negro Attacks Dog

Special: In The New York Times

Birmingham, April 7.—An attempted peaceful prayer march on City Hall developed into violence here late this afternoon.

When police with dogs attempted to clear several hundred Negro onlookers from a small park where the march had been stopped, a Negro man, not one of the marchers, reportedly slashed at one of the police dogs with a large knife. The dog

Policemen with two more instances of violence since the di-
negrated and other policemen who protest action campaign by Ne-
were congregated in the area grocs against segregation in
quickly rushed against the Birmingham began last Wednes-
crowd, swinging clubs. day—came at the end of what
had been a beautiful and calm
Palm Sunday.

The crowd of Negroes fled before this fresh attack and there were no other attacks by the dogs.

The outbreak came just as 23 Negro worshippers led by their ministers in surplices and black robes were being loaded into three police vans.

There was considerable shouting from small groups of Negro gathered in adjoining streets and along the sidewalks of the all-Negro section where the

Palm Sunday.

Sermons had been preached in most Negro churches today urging the Negro community to remain calm and not to offer violence, no matter what the provocation.

The prayer marchers were led by the Rev. A. D. King, younger brother of the Rev. Dr. Martin Luther King Jr., the anti-segregation Negro leader who came to Birmingham to Atlanta

last Wednesday night to lead Negro churches where they ran the campaign here. Dr. King be heard praying and singing. himself was not among the Except for the one man who reportedly attempted to slash marchers.

Today's 30 arrests brought to the police dog and two or three more than 100 the number of others who were manhandled in Negroes arrested in the last five the park, there appeared to be days. The largest group forty, no overt resistance.

two—was arrested yesterday in One woman among the five
another protest march on City arrested was heard exhorting
Hall. It too was stopped several some of the Negro men 15th
blocks short of the jail. area to "do something about
the situation."

[illegible]

After the incident in the park, men who apparently knew him one of the Negro leaders spoke and hustled across the street. over a loudspeaker system a "You go on home, Billy," the black away and asked the crowd policeman was overheard to say of Negroes to disperse, Many of to him: "you don't want to get them flocked into two 'nearly mixed up in this."

4 Negroes Jailed in Birmingham As the Integration Drive Slows

**Su-las and a Demonstration
Plan Fail to Materialize—
Dr. King Takes Lead**

By FOSTER HALEY

BIRMINGHAM, Ala., April 1

An attack by the city's Negro community on racial segregation in Birmingham continued today. But it was much less than the "full-scale assault" that had been promised.

A mass demonstration at lunch at Third Avenue and Ninth Street, one of the city's busiest intersections, failed to materialize as did a planned sit-in at the downtown five-story stores where 25 colored persons were arrested yesterday.

Late in the afternoon four Negroes were arrested when they took seats at a lunch counter in another downtown store.

Another young Negro was arrested by sitting at a lunch counter in a drug store adjoining the Hotel Fort. When left when they were refused service. The manager declined to make an issue of it with the police.

Four Counters Closed

The mass demonstration called off it was planned when four of the five offices where yesterday's sit-ins were staged kept their lunch counters closed. The sit-in at the fifth store was open, but three black young men were pulled at the entrance and taken to the police station and kept in custody overnight.

The demonstration was called off by Dr. Martin Luther King Jr. who said that the city's Negro community was not ready for a full-scale assault on segregation. He said that the city's Negro community was not ready for a full-scale assault on segregation.

Today's demonstration was called off by Dr. Martin Luther King Jr. who said that the city's Negro community was not ready for a full-scale assault on segregation.

Negro leaders have organized an intensified campaign to achieve at least a minimum desegregation of one of the South's main centers of white supremacy.



The Rev. Dr. Martin Luther King Jr., a leader in drive.

Integration Leaders Arrive

Dr. Martin Luther King Jr. and Dr. Ralph Abernathy, leaders of the Southern Christian Leadership Council of Atlanta, flew in last night to join local leaders in the campaign. They told a rally of 250 to 300 Negroes last night in the St. James African Methodist Episcopal Church that they were here to stay until "the battle is won."

A head-on clash appears inevitable. A new city administration, elected Tuesday, is believed to be more ready to work out a compromise than was the old administration led by Mayor Eugene B. "Boss" Eberhart. But a fight over the city's future seems inevitable, and many expect the new administration to assume the lead at City Hall until April 1.

Mr. Connor and the present city commission show no sign of compromise.

Mr. Connor told reporters this morning that he did not know how long he would be in his post "but you can rest assured that I will fill the jail if they (the Negroes) violate the laws as long as I am at City Hall."

He placed the blame for the present trouble on "those merchants" who last September promised concessions to Negro leaders. The official was particularly bitter toward the owners of three stores where sit-ins were staged yesterday who declined to press charges.

If the merchants don't operate with the police, they can't move those Negroes out of their buildings," he said.

Those arrested yesterday were charged in Recorder's Court this morning with violation of a local city ordinance known as "Trespass After Warning."

All 21 were found guilty. Recorder's Court Judge Charles Brown said that each defendant would be fined \$100 or 15 days in jail. Appeals may be filed if not satisfied by Negro leaders.

Dr. King and the local Negro leaders outlined at a news conference the minimum requirements they have set for desegregation.

He listed them as:

1. Desegregation of lunch counters and all public facilities in all downtown stores.

2. Immediate establishment of fair hiring practices in those stores, including employment of qualified Negroes for white-collar jobs.

3. The dropping of all charges against those who have been arrested during sit-ins.

4. Establishment of fair hiring practices in all city departments.

5. Desegregation of city parks and playgrounds, all of which now are closed to avoid desegregation.

Dr. King also called for establishment of a biracial group to work out a timetable for desegregation of all Birmingham public places.

ST. LOUIS, MO.
POST-DISPATCH

EVENING 378.293
SUNDAY 552.153

APR 5 1963

10 NEGROES HELD IN NEW SIT-INS AT BIRMINGHAM

BIRMINGHAM, Ala., April 5 (AP)—Ten Negroes were arrested in two sit-ins in downtown drug stores, but the Rev. Dr. Martin Luther King Jr., who said, "I am going to jail today," was not in the groups.

The Rev. Dr. King's prediction of arrest was made last night at a mass meeting at which he called for volunteers to help step up an intensive campaign to end segregation of public facilities.

There was no violence when police picked up the Negroes. Small crowds of curious onlookers stood by.

The Rev. Dr. King said at the rally, "Downtown Birmingham will not be left alone until our freedom is won."

He then asked members of his congregation to walk down the aisles and be counted as volunteers for daily mass marches, sit-ins and other demonstrations.

The Rev. Dr. King stressed that the demonstrations must be done humbly, nonviolently and peacefully.

Plans to Go to Jail

"Many of us will be arrested. I am going to jail today," he said, assuring his followers that he and his Southern Christian Leadership Conference deputies would have an active part in the demonstrations.

Four Negroes arrested in a sit-in attempt yesterday were convicted in city court today. They were sentenced to 180 days in jail and were fined \$100 each on charges of trespass after warning. This brought to 25 the number convicted and given the maximum sentence.

Segregationist City Commissioner Eugene Connor, who has jurisdiction over the police department, threatened to fill the jails if integrationists violate city segregation statutes.

Election of Negroes Urged

In Greenwood, Miss., an integration leader—out of jail less than six hours—urged Negroes, who outnumber white persons nearly two to one in this Mississippi Delta area, to elect members of their race to public office.

"We've got to organize so we can elect the next sheriff of Leflore county," James Forman, executive secretary of the Southern Christian Leadership Conference, told a rally of 500 Negroes last night.

They jammed into a Baptist church to hear Forman and other leaders of an intensive vote registration drive who had been freed from jail in a compromise between the Federal Government and local officials.

The Department of Justice dropped its request for an immediate order from a federal judge banning interference with the stepped-up Negro vote registration in Leflore county.

APR 5 1963

Wallace Asks Removal of U. S. Official

MONTGOMERY, Ala., April 4 (AP)—Gov. George Wallace today said he has information that U. S. Attorney Vern R. Jansen Jr. of Mobile contributed money to a Negro organization seeking voter registration.

The Governor sent telegrams to Sen. Lister Hill and John Sparkman, (D-Ala.) notifying them that he has received such information and urging them again to take steps to have Jansen removed from office.

Wallace said he was told that the U. S. Attorney "made a financial contribution" at a Negro voter registration rally in Mobile last Sunday.

APR 7, 1963

King, City Commissioner Approach Clash on Birmingham Segregation

BIRMINGHAM, Ala., April 7 (AP)—Segregationist Eugene Connor and Negro leader Martin Luther King Jr. appeared headed today for a collision over segregation in Birmingham.

Connor, whose duties as City Commissioner include jurisdiction over the Police Department, threatened to fill the jails full if city segregation statutes are violated. King, of Atlanta, offered a list of minimum desegregation requirements for the city. He said he would remain until the barriers were eliminated.

change-of-government runoff election.

"I don't know how long I will be here," Connor said, but King can rest assured that as long as I am here he better tell his crowd not to violate any laws."

Boutwell called the Negroes "racial agitators" who he said have undertaken to embarrass both the present and the incoming city governments.

At a department store a floor walker blocked a Negro's attempt to enter the eating area.

Twenty-one persons arrested in a sit-in campaign Wednesday were convicted in City Court today on charges of trespass after warning. They were given the maximum sentence of 180 days in jail and \$100 fines.

Connor was defeated for Mayor by former Lt. Gov. Albert Boutwell Tuesday in a

NEW YORK TIMES

APR 5 1963

ALABAMA GOVERNOR DENOUNCES U.S. AIDE

MONTGOMERY, Ala., April 4 (AP) — Gov. George Wallace said today he had information that Vernel R. Jansen Jr., United States attorney in Mobile, had contributed money to a Negro organization seeking voter registration.

The Governor sent telegrams to Senators Lister Hill and John J. Sparkman, Democrats of Alabama, notifying them that he had received such information and urging them again to take steps to have Mr. Jansen removed from office.

Mr. Wallace said he was told that the United States attorney had "made a financial contribution" at a Negro voter registration rally in Mobile last Sunday.

"If this is true," the Governor's telegram said, "and regardless of whether the contribution was nominal or substantial, it is my strong opinion that Mr. Jansen has violated the canons of ethics of the American and Alabama Bar Associations."

The telegram said the Federal attorney's office is involved in voter registration suits in some counties in southern Alabama.

Mr. Jansen told the Negro rally that as United States attorney he would help Negroes in their fight. Mr. Wallace demanded his removal from office because of the speech.

Mr. Jansen could not be reached immediately for comment on the Governor's statement today.

But Negroes Show Impatience

Birmingham Sees 'New Day' After

By Robert E. Baker
Staff Reporter

BIRMINGHAM, Ala., April 11—This morning's newspapers boasted proudly of a new day in Birmingham.

They carried the results of yesterday's municipal election ousting Police Commissioner Eugene (Bull) Connor, who has been the racist political boss of the city for two decades.

The Birmingham News carried a page 1 color cartoon showing a bright sun rising over this steel city, whose image has been tarnished by racial violence and tension which has been characterized as a "city of fear."

Beneath the cartoon was a message from Albert Boutwell, who defeated Connor by 50,000 votes for mayor. The new municipal government is scheduled to take over on April 15, replacing the present three-member commission.

"Birmingham, at last, is ready to move forward and upward to its rightful place

as a real leader among Southern cities," said the major elect.

But this morning Negroes

launched a sit-in and picketing movement to desegregate lunch counters and restrooms at two downtown department stores and three variety stores.

The movement is being sponsored by the Alabama Christian Movement for Human Rights, formed by Negroes when the State banned the NAACP, and the Southern Christian Leadership Conference of the Rev. Dr. Martin Luther King Jr.

The Rev. Fred L. Shuttlesworth, whose Birmingham church has been the object of bombings, said the Negro demonstrations had been postponed three times since the last one a year ago in the hope that merchants would agree to desegregation. He said they were put off so they would not become involved in the bitter Connor-Boutwell campaign for

Birmingham.

flexible history in race relations leaves us no alternative but to make this moral witness," said Shuttlesworth. "We can no longer defer Birmingham's confrontation with that which is right and just."

About 25 Negroes participated in the sit-in. At four stores, the lunch counters were immediately closed and no arrests were made. But at a Britts department store, the manager called police four times and 18 Negroes were arrested on charges of trespassing.

Connor Directs Operation

Bull Connor directed the police operation from a control car and made the arrests only upon complaint of the manager. There was no violence. Police dispersed white hecklers who gathered inside the stores and on the streets outside.

If the manager does not comply, Connor shouted to a lieutenant, "then let them eat there."

This was a far cry from last year, when police stepped down on sit-in demonstrators

and made arrests whether complaints were filed or not.

At Woolworth's, five Negroes sat at the closed lunch counter for several hours. For the most part, the reaction of whites was gossamer.

But white supporters of the "new image" of Birmingham were dismayed at the demonstration, which they considered untimed.

Leaders of the first Connor movement said the Negroes should have waited to confer with the new government about repealing the city's segregated eating ordinances.

Negro leaders replied that there is always some "reason" to delay their rights—an election, a pending court decision.

Margin of Victory

Birmingham Negroes take credit for ousting Connor, pointing out that the 5500 Negro votes went solidly for Boutwell, giving him his margin of victory. However, middle and upper class whites and many business leaders also supported Boutwell, making the vote close enough for the Negro movement to carry him to victory.

By afternoon, Boutwell's clear vision of a new day in Birmingham had forged a bond. At a press conference, the mayor assured the demonstrators that the city would not be a "city of fear" any longer.

"We may regret assured that after a period of activity here, they will find their tents and silently start moving to hand them the problems they have created," said Boutwell. "I am the people of Birmingham."

Alabama Desegregation May Start at Huntsville

By Robert E. Baker

Qualified, But...

HUNTSVILLE, Ala., March 24.—The desegregation showdown in Alabama apparently will come in June in this space age city, rather than in September elsewhere in the state as had been expected.

Two Negro technicians at the massive George C. Marshall Space Flight Center have applied under a Federal program to take courses at the Huntsville branch of the University of Alabama.

Their applications for the spring quarter, which began Monday, have been rejected by officials of the all-white university as "incomplete." But they plan to press immediately in Federal Court for admission to the summer quarter in June.

The Negro applicants are Marvin Phillips Carroll, 27, an electronic engineer with the Correlation Branch of Electromagnetic Laboratory, Army Missile Command, and Dave Mark McGlathery, 27, a mathematician in the Research Projects Division. They are clear and ion physics branch of the space center.

Governor Defiant

There are indications that University and space center officials have tried to avert the showdown. But Gov. George C. Wallace of Alabama has vowed with vehemence that he will stop any desegregation in Alabama even if it means he must go to the Federal penitentiary.

The National Aeronautics and Space Administration, which runs the space center with the Army, recently granted \$60,000 to the University as a start toward construction of a Space Sciences Institute adjacent to the Huntsville Branch.

University and space center officials are concerned that the Governor and the State Legislature, now meeting in Montgomery, to appropriate funds for education might interfere with the research institute and the Huntsville

McGlathery, 27, of a Huntsville sharecropper, sought advice of space center officials about his application. Ernst Stuhlinger, who as director of the Research Projects Division, is second in command to Wernher von Braun, said through a spokesman that McGlathery had sought his advice.

Stuhlinger told McGlathery that he was qualified and entitled to take the University course, but that if he did not want to take a chance on becoming a cause celebre, perhaps it would be better to wait.

Stuhlinger and von Braun are the chief of the Army's space and missile program and served together in World War II in Germany's rocket center at Peenemunde.

McGlathery also is at the head of the Huntsville branch of the Nuclear and Ion Physics Division.

Stuhlinger is the liaison between NASA and the University. He would neither confirm nor deny reports that Alex S. Pow, director of grants and developments of the University, in Tuscaloosa, had talked him about McGlathery's application.

Mr. McGlathery is a very capable young man, Shelton said, and we believe he ought to have the right to exercise the opportunity.

'No Pressure'

A space center spokesman for Shelton later stressed that at no time had the University asked that pressure be exerted to get McGlathery to withdraw his application.

Pow declined comment. McGlathery himself said he would not interpret any of the conversations as coercion. He said he was aware of the political realities of the situation and that the decision was always left to him.

"I don't want to be in a position for someone to say that I was responsible for anything," McGlathery said.

He applied to the University branch in December for the winter quarter but later withdrew his application.

"I didn't want to become involved in a situation similar to that in Mississippi," he explained. "I decided it was a little untimely."

Visitor From Washington

The space officials' concern with the present applications is illustrated by the visit here two weeks ago by Burke Marshall, assistant U. S. Attorney General in charge of Civil Rights. Marshall interviewed McGlathery and Carroll in von Braun's office at the space center.

The University is under a Federal court injunction to admit qualified Negroes. The order was issued as a result of the Autherine Lucy case in 1956.

No desegregation has come to Alabama since then. While the University was able to avoid admitting three Negroes for the February term this year through a technicality, it is almost certain that they would be admitted next September.

Meanwhile, a final desegregation order for Birmingham public schools is expected within a few weeks, effective September.

This State Federal and University officials had not anticipated a desegregation showdown until the fall.

Huntsville, in northern Alabama, is a booming, sprawling urban area whose growth is directly connected with the Federal space center and the industry it draws. From a 10,000 population in 1950, Huntsville has grown to more than 100,000.

It is a city where more Negroes have moved here than from other Alabama areas.

Federal influence is everywhere.

More than half the faculty of the University's Huntsville branch comes from the Federal Space Center. Some 1,500 Federal employees attend classes there, approximately one-third of them. McGlathery and Carroll are paid by the Government.

Carroll's Background

Carroll, a native of Atlanta, and son of a postal clerk, was graduated from Howard University in Washington in 1958 with a B average and a BS degree in electrical engineering.

Before coming to the Army Missile Command here last November, he worked at Emerson Research Laboratories, Silver Spring, Md., and at the National Bureau of Standards in Washington.

He now has a GS 11 rating and is being considered for GS 12. In February, he applied to the Huntsville branch to take a graduate course in "transients on linear systems."

On Friday, he was told by Philip M. Mason, director of the University branch, that his transcript from Morehouse College had not arrived and it was too late to qualify for the course. Carroll attended Morehouse in Atlanta, for a year before entering Howard.

Carroll then asked to take the course without credit, pointing out that space center employees have been allowed to audit courses without completed references and qualifications. Mason, however, said the University had no such policy.

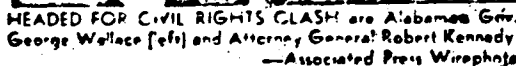
McGlathery, a Navy veteran, was graduated from Alabama A&M College for Negroes here, no longer in laud with a BS degree in mathematics. He worked for 14 months as a mathematician at the Navy Weapons Laboratory at Dahlgren, Va., before transferring here in October.

In February, he applied to the University branch for a graduate class but changed to an undergraduate application when told that his references were not complete.

He was then called to take an examination on March 18. He failed, but the branch is to find out if the test was necessary for admission. He said that supervisors at the space center said that they had never heard of the University requiring such an examination before.

On Friday, he was told by the University's Huntsville branch that the University could not grant him because he had not taken the examination at the appropriate time. McGlathery and Carroll are paid by the Government. Carroll's parents to the

1

[illegible]

It is claimed that Attorney General Kennedy and Mr. Tolson would "pass each other over if there should be some more facts."

MORNING 322,443
SUNDAY 331,659

Press Intelligence Co., Inc.

WASHINGTON, D.C.

Front	1st	City
Page	Page	Page

BRISTOL, TENN.
HERALD COURIER

MORNING \$1.008
SUNDAY 2.348

1955 1000

Photographing 'Bama Campus Was A Mistake

Down in Alabama, residents are up in arms over the recent revelation that Attorney General Robert Kennedy sent an airplane over the University of Alabama campus to take pictures for possible use in any integration crisis that might arise. Kennedy, known rather unaffectionately as Lil' Brother Bobby in the Deep South, said such photographs would have been of great use had they been available in the University of Mississippi incident.

Segregationists have already had a field day drawing parallels between Ole Miss and Cuba, and this latest happening, which runs so closely to the pattern that the U. S. military established to keep tabs on the Caribbean isle, should hand them an even better weapon.

We agree with Alabamians to some extent, however. The action taken by the President's brother seems a trifle out of line, particularly when the availability of maps and even pictures of any college campus is taken into consideration. These pictures may be helpful if troops or marshals are needed at the Tuscaloosa institution, but the methods utilized by the Justice Department seem to be completely uncalled for.

In any period of domestic crisis, emotions are held in line or allowed to run rampant only by weight attached to the cool voice of reason. Anything that would tend to obscure this voice by creating useless dissension serves only to worsen the potential effect of the crisis.

While Kennedy had good reason to believe that Alabamians will resist the admittance of Negroes to their state institutions of higher learning, he had less reason to think their reaction will result in violence. The photography session serves only to inflame the passions of state residents further and could be a contributing factor to any riot or similar violence that may transpire.

EDITORIALS:

Never Stop Fighting

We commend Governors Ross Barnett and George Wallace for pledging to fight the outrageous justice department suits to integrate schools attended by children of servicemen and federal civilian employees.

The suits seek to integrate schools which have received funds to aid in the education of such children.

Thus far, the suits apply to Harrison County, Mississippi, Madison and Mobile counties, Alabama and Bossier Parish, Louisiana. However, it is obvious that, if the justice department is successful, it will try to integrate all such schools, including those in the Lauderdale County School District because this district has received aid to educate NAAS children.

In the Meredith case the administration claimed that it had no choice but to intervene to enforce the orders of the federal courts.

Nevertheless, in the present suits, the justice department itself is the plaintiff.

Therefore, it is obvious that the attorney general and his brother, the president, have acted entirely of their own free will and that they are fully to blame for this latest attempt to grind down states' rights and the South.

The question is where the federal government will act next to take away what remains of our freedom to associate with members of our own race, and how far will it go.

At the present time, there seems to be no legalistic sophistry too transparently shameless to use to take away the rights of the people in this field—no measure too ruthless.

It is the nightmare feeling of helplessness to avoid being ground down without limit under the boot of tyranny which perhaps drives men to madness such as that displayed by the Ole Miss rioters.

What can we do about it?

Generally speaking, we must never lose heart, never stop fighting. Perhaps someday our fellow citizens in the North and West will come to our aid out of revulsion at the growing tyranny of the federal government in the field of racial relations and out of fear that their own rights will be jeopardized. However, even if they continue their tragic indifference and we lose all rights to freedom of association we must put off the evil day as long as possible.

More specifically, our state government should make a study to determine the effectiveness as a defense of refusing further federal funds for the schools or even refunding funds already received.

Press Intelligence, Inc.
WASHINGTON, D. C.

Base Page	Sub Page	Other Page
1	1	1

NERIDIAN, MISS.
STAR

EVENING 22,762
SUNDAY 22,509

HOWEVER, ESPECIALLY IMPORTANT IS THAT WE BEGIN A PRIVATE SCHOOL SYSTEM, PRIVATELY FINANCED.

We do not advocate abolishing the public school system until and unless a private system can be built up sufficiently to be an adequate substitute.

Nevertheless, a private system of lesser dimensions could take care of at least some of our students and enable them to escape integration if we lose our fight.

We feel that if even a part of our school children were able to avoid integration we would be better off than if all were subjected to it.

W. H. C. CO. PUBLISHERS

Wallace, Flowers Vow Fight On State School Mix Suits

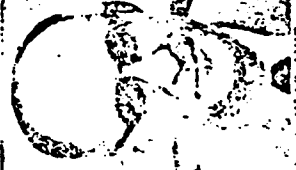
MEMPHIS, TENN., ALA.
POST-HERALD
WEDNESDAY, MAY 11, 1955



HIS DEPARTMENT
ACTS AS COUNSEL

Justice Dept. Says 'Impacted' Areas Violate Pledge

By JERRY SEITZ
The Justice Department today announced that it has filed a lawsuit in federal court in Birmingham, Ala., against the state of Alabama, charging that the state's school system violates a pledge made by the state to desegregate its schools.



THE HEAR SUIT

The Justice Department today announced that it has filed a lawsuit in federal court in Birmingham, Ala., against the state of Alabama, charging that the state's school system violates a pledge made by the state to desegregate its schools.

The Justice Department today announced that it has filed a lawsuit in federal court in Birmingham, Ala., against the state of Alabama, charging that the state's school system violates a pledge made by the state to desegregate its schools.

Mixing Suits

Continued from Page 1

Berford and members Herman B. Sanders, William L. Vaughn, Donald Spencer and Atlas Carter, and County School Superintendent Nathaniel Almond; Huntsville city school board, and President A. V. Kneel, Superintendent Raymond Christian and members L. A. Davis, Marvin W. Davis, J. C. McKinney Jr. and Milton Frank.

The Mobile suit, similar to the one filed in Birmingham, said the Mobile and Mobile County schools had received Federal aid and therefore all 89 schools in the county and city should be integrated with Brooklyn AFB children.

The suit said 14,551 children of military and civilian personnel stationed or employed at Brooks attended schools operated by the Mobile County School Board, which also operates city schools. There was no breakdown on the number of Negro children involved.

Mobile schools, the suit said, received \$6,221,122 since 1957 for maintenance and operation of schools, and \$3,041,160 for construction and school improvement.

Named in the suit were Mobile School Board Commissioners Charles McNeal, Arthur F. Smith Jr., William B. Crane, Jack C. Galloway and Kenneth W. Reed. Also named was Crawford F. Reed, school superintendent.

Total Set May 17
A similar suit was filed Sept. 1 against Prince George County Va., near Ft. Lee. Trial of the suit is scheduled for May 14.

Justice Dept. spokesman said officials are now seeking a similar agreement on school desegregation in more than a dozen areas.

The Mississippi suit sought to desegregate all schools in the Gulfport and Biloxi municipal separate school districts.

Defendants named were Superintendent Robert D. Brown, Gulfport Superintendent W. L. Rife and school boards of both districts.

The suit said there are no educational facilities for children at Keesler AFB between the two coastal cities and that children of those personnel and employees must seek their education elsewhere.

It said 2670 such children attend Biloxi schools and 2099 Gulfport schools. Of these, 258 of the Biloxi students are Negroes and 178 of the Gulfport students are Negroes.

The suit charged the Board of Gulfport and Biloxi gave written assurances identical to the Madison County and Huntsville agreements.

This was the first public school desegregation suit to be filed.

